

August 21, 2004

Subject: Review of the FCC's Slamming Rules, 2nd Further NPRM -
Docket 94129

Comments on Un-Intentional slamming and resolution.

Background.

I have used Telecom USA for all Long distance calls to the Netherlands. The routing digits to connect to Telecom USA is 10 10 9 8 7. In the month of June 4 calls were made, using Telecom USA, by first dialing 10 10 9 8 7 then the called number. However, two calls were routed through Telecom USA and the other two (although 10 10 9 8 7 was dialed) were routed by SBC and were billed by SBC. See exhibit below.

Date	Time	Placed	called	Number	Code	Min
Cost						
Itemized calls						
2.6-08	11:19A	987NETHERL	31598463368	R	5	
	.54					
3.6-09	10:40A	987NETHERL	31570852401	R	11	
	.72					
Taxes						
	.54					
Total Telecom USA						
	1.41					

International
Item

No	Date	Time	Placed	called	Number	Code	Min
Cost							
Itemized calls							
57.	6-30	10:26A	987NETHERL	31703657606	R		
18	49.50						
58.	6-30	10:46A	987NETHERL	31299428176	R		
31	85.25						
Fed Excise tax							
	4.40						
Fed Universal Service Fund							
	11.74						
Regulatory Surcharges							
	0.22						
Total Call Charges SBC							
	151.11						

SBC Long Distance was contacted at 1800 280-1996 on July 27, 2004 at approximately 3:40 PM. At that time the SBC representative was informed that in the month of June four (4) calls were made to the Netherlands by dialing 10 10 9 8 7 thus, Telecom USA was used as the Long Distance Carrier of choice. I have used Telecom USA for more than a year.

All four calls were made by dialing 10 10 9 8 7. Therefore, all four long distance charges should be under the Telecom USA rate.

However, only two of the four calls were billed by Telecom USA and the other two were billed by SBC. As you see the SBC charges are much, much more than Telecom USA.

The SBC representative comments were: "Telephone equipment/network troubles have an effect on how 10 10 9 8 7 digits are routed. If a trouble did occur with the network and/or equipment while dialing 10 10 9 8 7, the long distance call will default to SBC and be completed by SBC instead of Telecom USA." She then referred me to Telecom USA Billing Center at Tel. 1800 280-1996 - extension for other Carriers

Next, Daniel at the Telecom USA Billing Center was contacted at approximately 3:47 PM on July 27. His comments were: " I will return these charges to SBC as a dispute. SBC will further investigate and inform you about the results. It usually takes about a month to hear back from them.

I have called SBC Long Distance again for status of the dispute on August the 18th.

and received the same comments as on July 27th. I have asked to speak to a manager at that time. He is in a meeting and will return my call. My call was never returned. And on August the 21st at 9:40AM I called again for a status. And this time the SBC representative informed me that this was a "common problem". The reason for the complain and dispute is the "common problem". How long that this common problem exists and why is it not resolved? It is a nationwide problem that affects not only SBC but also Verizon, ATT and other Telephone Companies.

The consumers or - all callers - don't know nor are they made aware which Long Distance Carrier is routing the call. They assume by dialing the routing digits, for example 10 10 9 8 7, will connect them to the appropriate Long Distance Carrier in this case Telecom USA. No positive identification or confirmation, at any time during dialing, is given to the caller which Long Distance Carrier is completing the call. This is the root cause of the trouble. I would like to ask the FCC to please resolve this matter as soon as possible because it has an adverse affect, state and nationwide, to all telephone users.

Concern.

The consumers presently don't have a choice, when dialing 10 10 9 8 7, then to assume that a call is automatically routed to the proper Long Distance Carrier, in this case Telecom USA, However, the consumer should not have to assume that the call is routed to the Long Distance Carrier of choice, he should know and be made aware which Carrier is completing the call. The selected Long distance Carrier should immediately be identified after the routing digits, 10 10 9 8 7, are successfully completed. Perhaps by means of a voice recording this will prevent the problem I have now.

Furthermore, when a routing problem occurs while dialing for example Telecom USA, routing digits 10 10 9 8 7, the consumer is not made aware that a re-route took place to the default Carrier which is in my case SBC.

A solution to this problem is urgent and should be addressed and implemented immediately. The tremendous loss of revenue to consumers as well as Long Distance Carriers in investigating the problems including customer dissatisfaction with the Long Distance Telephone Services will soon be readily apparent State and Nationwide. This problem is not confined to SBC only but also to AT&T, VERIZON, and others. As you see from my long distance telephone bill the cost changed tremendously when using SBC.

A Suggestion for a Solution:

The consumer could and should be informed via a voice recording, which Long Distance Carrier was dialed and therefore selected as Long Distance Carrier of choice. The voice recording must be activated, for example, after the routing digits 10 10 9 8 7 are successfully completed. At that moment a voice recording should come on line and identifies the Carrier of choice by announcing: "Carrier of choice Telecom USA. Press 1 to use this Carrier and to complete the call." If for example, the routing digits 10 10 9 8 7 are not dialed or miss- dialed and are invalid routing digits the voice recording, in my case, should give the message: "Carrier of choice SBC. Press "1 " to use this Carrier and to complete the call." If the routing digits are miss-dialed and are valid routing digits the announcement: " Carrier of choice "XXXXXXX". Press 1 to use this Carrier and to complete the call." "XXXXXXX" identifies the miss- dialed Carrier. If a problem occurred during dialing, of 10 10 9 8 7 and the call default for example to SBC a voice recording must alert the consumer by enunciating: " Default Carrier SBC was not the Carrier of choice for this particular call. Press "1" to continue the call with SBC or you may hang up and dial the Long Distance Carrier of choice."

The provided voice recording made the consumer aware which Long Distance Carrier is completing the call. In addition, by pressing the number "1" the consumer may now participate freely and knowingly in selecting the default Carrier or opt for Carrier of choice.

I truthfully hope that the FCC will take this suggestion into account and consider this matter of utmost importance.

I am looking forward to hear from you soon.

Sincerely,

Peter A. Habibuw
2908 Avon Rd.
Rocklin, CA 95765
Email:phabibuw@starstream.net